

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ORDER

On September 15, 2011, the Magistrate Judge entered a Report and Recommendation (“R & R”) (Docket No. 31), recommending that Defendant’s Motion to Dismiss (Docket No. 11) be granted in part and denied in part. Despite being specifically advised in the R & R that any objections to the recommendation were to be filed within fourteen days, the parties have filed no objections.

Having conducted a *de novo* review of the matter in accordance with Fed. R. Civ. P. 72(b), the Court agrees with the Magistrate Judge's recommendation. Accordingly,

(1) The R & R (Docket No. 31) is hereby ACCEPTED and APPROVED; and

(2) Defendant Credit One Bank, N.A.'s Motion to Dismiss (Docket No. 11) is hereby GRANTED insofar as Defendant seeks dismissal of Plaintiff's claims under 15 U.S.C. §§ 1681s-2(a)(3) & 1681s-2(a)(5) of the Fair Credit Reporting Act because there is no private cause of action for alleged violations of the duties imposed by those sections, and those claims are hereby DISMISSED. The Motion to Dismiss is DENIED in all other respects.

It is SO ORDERED.

Kevin H. Sharp